



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** February 23, 2010

**Department:** Zoning, Building, and Planning **Staff Contact:** Mari Simbaña, Program Planner

**TITLE:** CONSENT: Special Use Permit for a (Private) Utility Facility and a Single Family Dwelling (CSU-20100001)

**COUNTY PLANNING COMMISSION RECOMMENDATION:**  
Approval

### **SUMMARY:**

At the January 6, 2010 public hearing, the County Planning Commission voted (6-0; Commissioner McMahan excused) to recommend approval for a Special Use Permit for a (Private) Utility Facility & a Single Family Dwelling on Lot 1, Las Leyendas Subdivision, Unit 1, located at 2 Bolivar Loop, zoned A-2, and containing approximately 2.10 acres. The decision was based on the following 6 Findings and subject to the following 8 Conditions.

#### **Findings:**

1. This is a request for a Special Use Permit for a (Private) Utility Facility & a Single Family Dwelling on Lot 1, Las Leyendas Subdivision, Unit 1, located at 2 Bolivar Loop, zoned A-2, and containing approximately 2.10 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86 in that this land use is more advantageous to the community because it ensures the establishment of a permitted water utility as articulated in the Albuquerque/Bernalillo County Comprehensive Plan Rural Area Policy 3.b.
4. This request is consistent with Resolution 116-86 in that it facilitates the realization of the East Mountain Area Plan Policy 3.2 by contributing to the establishment of a water system.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.
6. Future amendments to this Special Use Permit (Section 18.C.4) will require the multiple owners (pump station and the single family dwelling) to consent to any changes.

Conditions:

1. Outdoor storage shall not be permitted.
2. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
3. The applicant shall comply with the Bernalillo County Noise Ordinance. No outdoor speakers or amplified sound systems shall be permitted. Ambient noise levels shall be measured on property boundaries in accordance with Bernalillo County Code, Section 30-115.
4. The applicant shall comply with all applicable Bernalillo County ordinances and regulations with the exception to landscaping and fencing requirements.
5. A 20 foot wide gravel driveway shall be provided.
6. Three copies of the revised site plan consistent with the conditions of approval shall be submitted for review and approval to the Zoning Administrator within 30 days from the date of final Board of County Commissioners approval.
7. The Special Use Permit shall be issued for the life of the use.
8. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit, and shall be strictly complied with within one year.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (January 11, 2010)
2. County Planning Commission Information Packet
3. Site Plan (Commissioners Only)

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING AND PLANNING DEPARTMENT:**

Staff recommends approval